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Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Merchant

DATE: June 8, 1959

FROM : Martin J. Hillenbrand *hjk*

SUBJECT: Additional Note re My Memo on "Rights".

To supplement my memo, I would like to note that it attempted to make two points:

(a) That the going into effect of our contingency plans, which presumably is the alternative to arriving at agreement, will not lead to any reaffirmation of our rights other than the unilateral one which we will make;

(b) That, in operational terms, the important right for us to have reaffirmed is our right of access as long as we do nothing which could in any way be interpreted as conceding that our right of presence in Berlin is not maintained as strongly as ever. (Under this concept, we obviously do have to have a reaffirmation of our right of access)

I do not see that we would in any way be estopped from asserting our broader "rights" relative to Germany as a whole by what I have suggested; we should obviously do nothing that would have this implication.

162-6016-459

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M.J. Hillenbrand

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By <i>hjk</i>	MAINS, Date 11/27/87